

United States District Court

Eastern District of California

UNITED STATES OF AMERICA

v.

DARNELL FOSTER

(Defendant's Name)

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

(For Offenses committed on or after November 1, 1987)

Criminal Number: **2:05CR00125-08**

Date of Original Judgment: 2/10/2010

(Or Date of Last Amended Judgment)

Caro Marks, AFD

Defendant's Attorney

Reason for Amendment:

☐ Correction of Sentence on Remand (Fed R. Crim. P. 35(a))

☐ Reduction of Sentence for Changed Circumstances

(Fed R. Crim. P. 35(b))

☐ Correction of Sentence by Sentencing Court (Fed. R. Crim P. 35(c))

☒ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)

☐ Modification of Supervision Conditions (18 U.S.C. §3563(c) or 3583(e))

☐ Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. §3582(c)(1))

☐ Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. §3582(c)(2))

☐ Direct Motion to District Court Pursuant to ☐ 28 U.S.C. §2255

☐ 18 U.S.C. §3559(c)(7), ☐ Modification of Restitution Order

THE DEFENDANT:

☒ admitted guilt to violation of charges 1, 2, 3, 4, and 5 as alleged in the violation petition filed on 1/19/2010.

☐ was found in violation of condition(s) of supervision as to charge(s) after denial of guilt, as alleged in the violation petition filed on .

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
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See next page.

The court: ☒ revokes: ☐ modifies: ☐ continues under same conditions of supervision heretofore ordered on 06/12/2008.

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ Charge(s) is/are dismissed.

Any previously imposed criminal monetary penalties that remain unpaid shall remain in effect.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

02/04/2010

Date of Imposition of Sentence



Signature of Judicial Officer

MORRISON C. ENGLAND, JR., United States District Judge

Name & Title of Judicial Officer

2/19/2010

Date

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ADDITIONAL VIOLATION

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	Failure to Notify Probation Officer Within 72 Hours of Being Questioned by Law Enforcement	05/25/2009
2	Failure to Submit Written Monthly Report Forms	07/2009 and 08/2009
3	Failure to Report to Drug Testing	07/14/2009 to 10/27/2009
4	Failure to Abstain From the Use of Illegal Drug Use	07/27/2009 to 10/29/2009
5	Failure to Make Payments Towards Restitution	01/05/2009 to 01/13/2010

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 7 months (no supervision to follow).

- ☒ The court makes the following recommendations to the Bureau of Prisons:
The Court recommends that the defendant be incarcerated in Sacramento County Jail, but only insofar as this accords with security classification and space availability.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
☐ at ___ on ____.
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before _ on ____.
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Officer.
If no such institution has been designated, to the United States Marshal for this district.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal